

**ACTUAL PERFORMANCE FOR OUTCOME MEASURES**

**448 - Office of Injured Employee Counsel**

**Fiscal Year 2012**

**9/26/2012**

**Actual Performance for Outcome Measures**  
82nd Regular Session, Performance Reporting  
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/26/2012  
TIME: 2:00:16PM  
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Agency code: 448

Agency name: Office of Injured Employee Counsel

Type/Objective/Measure	2012 Target	2012 YTD	Percent of Annual Target	
<u>1-1 OMBUDSMAN PROGRAM</u>				
2 % DISPUTES W/ OMBUDSMAN ASSISTANCE	37.00 %	48.98 %	132.38 % *	35.15 - 38.85
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel exceeded this measure's target due to the substantial increase in the need for Ombudsman assistance. Since FY 2010, the percentage of proceedings in which Ombudsmen assisted injured employees has increased 26 percent. In FY 2010, Ombudsmen assisted injured employees in 39 percent of proceedings and in FY 2012, the percentage has increased to almost 50 percent of proceedings. OIEC believes the increase in the need for Ombudsman services is due to OIEC's education efforts, the economy, and the free assistance provided by the Ombudsman Program.				
3 % CCH ISSUES PREVAILED W/ OMBUDSMAN	36.00 %	27.95 %	77.64 % *	34.20 - 37.80
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel did not meet this measure's target for several reasons: 1) the majority of disputed issues that enter a Contested Case Hearing are more complex due to the fact that less complex issues are resolved earlier in the administrative process, 2) a substantial amount of additional evidence is required to resolve disputes in favor of injured employees, 3) an Ombudsman is required to assist injured employees upon request regardless of the merits of the disputed issue, and 4) the need for Ombudsman services has increased dramatically.				
4 % APPEAL ISSUES PREVAILED W/ OMBUDS	33.00 %	22.97 %	69.61 % *	31.35 - 34.65
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel did not meet this measure's target for several reasons: 1) the majority of disputed issues that are appealed are more complex due to the fact that less complex issues are resolved earlier in the administrative process, 2) a substantial amount of additional evidence is required to resolve disputes in favor of injured employees, 3) an Ombudsman is required to assist injured employees upon request regardless of the merits of the disputed issue, and 4) the need for Ombudsman services has increased dramatically.				
<u>2-1 INFORM PARTICIPANT/PROVIDE REFERRAL</u>				
1 % INJURED EMPLOYEES REACHED BY OIEC	96.00 %	94.90 %	98.85 %	91.20 - 100.80
<u>3-1 ENSURE FAIR RULES &amp; ACT AS RESOURCE</u>				
3 % RULES CHANGED FOR BENEFIT OF IE	78.00 %	81.82 %	104.90 %	74.10 - 81.90

\* Varies by 5% or more from target.